

Notice of Allowability

Application No.

09/919,113

Examiner

Brian P. Egan

Applicant(s)

PATEL ET AL.

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 2/26/04.
2. ☒ The allowed claim(s) is/are 1-8, 11-14 and 16-20.
3. ☒ The drawings filed on 31 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/23/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

NOTICE OF ALLOWANCE

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Carolyn Fischer on April 22, 2004.

The application has been amended as follows:

IN THE ABSTRACT:

-Line 1, delete the word "substrate" after "comprising a".

-Line 1, insert the phrase -- retroreflective sheeting -- after "comprising a".

-Line 4, delete the word "substrate" after "greater than the".

-Line 4, insert the phrase -- retroreflective sheeting -- after "greater than the".

IN THE CLAIMS:

CLAIM 1:

-Line 1, delete the phrase "a substrate" after "disposed between".

-Line 1, insert the phrase -- retroreflective sheeting -- after the phrase "disposed between".

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-Line 2, delete the phrase "consisting of polymeric materials" before "and a polymeric liner".

CLAIM 3:

-Line 1, delete the word "substrate" after the phrase "wherein the".

-Line 1, insert the phrase -- retroreflective sheeting -- after the phrase "wherein the".

CLAIM 4:

-Line 1, delete the word "substrate" after the phrase "wherein the".

-Line 1, insert the phrase -- retroreflective sheeting -- after the phrase "wherein the".

CLAIM 5:

-Line 1, delete the word "substrate" after the phrase "wherein the".

-Line 1, insert the phrase -- retroreflective sheeting -- after the phrase "wherein the".

CANCEL CLAIM 9

CANCEL CLAIM 10

CANCEL CLAIM 15

CLAIM 16:

-Line 1, delete the number "15" after the phrase "The article of claim".

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-Line 1, insert the number -- 1 -- after the phrase "The article of claim".

CLAIM 17:

-Line 1, delete the number "15" after the phrase "The article of claim".

-Line 1, insert the number -- 1 -- after the phrase "The article of claim".

CLAIM 18:

-Line 1, delete the number "15" after the phrase "The article of claim".

-Line 1, insert the number -- 1 -- after the phrase "The article of claim".

CANCEL CLAIM 41

CANCEL CLAIM 42

CANCEL CLAIM 43

CANCEL CLAIM 44

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: the invention as claimed, namely an article comprising an adhesive layer disposed between retroreflective sheeting and a polymeric liner, the liner having an adhesive facing surface releasably adhered to

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the adhesive, wherein the adhesive-facing surface has a coefficient of friction of at least about 0.30 and wherein the substrate exhibits shrinkage such that $(1-L/LO)$ is greater than 0.05% at 10 days according to shrinkage test method B and the liner exhibits shrinkage at 10 days according to shrinkage test method B from substantially the same as to greater than the substrate, is neither anticipated nor fairly suggested by the prior art of record.

Although Rega et al. (#6,054,208) teach that it is generally known to provide a retroreflective sheeting in combination with an adhesive layer and release liner, Rega et al. are silent with regards to the control of shrinkage properties in the retroreflective sheeting and liner for promoting good roll stability and are silent towards the coefficient of friction of the release liner. JP 59-149970 stands for the general principle that a substrate comprising a top layer, an intermediate adhesive layer, and a lower release liner can be improved by selecting top and lower layers exhibiting the same shrinkage properties, thereby preventing curling of the substrate when exposed to heated rollers. Although the principles detailed by JP '970 may extend to embodiments in which the top and bottom layer are polymeric layers rather than paper, JP '970 makes no suggestion that such principles are applicable to retroreflective sheeting. Furthermore, neither JP '970 nor the cited secondary references of record (namely Kessel et al. (#5,432,006)), teach or suggest to modify the coefficient of friction at or above 0.30 in combination with the claimed shrinkage properties. Therefore, none of the aforementioned references, either taken individually or in combination, reasonably anticipate or suggest the Applicant's claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Egan whose telephone number is 571-272-1491. The examiner can normally be reached on M-F, 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BPE 4/23/04


HAROLD PYON
SUPERVISORY PATENT EXAMINER
1772

4/26/04